

First Extraordinary Session
Sixty-fifth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 06B-2054.01 Richard Sweetman

SENATE BILL 06S-005

SENATE SPONSORSHIP

Williams,

HOUSE SPONSORSHIP

Hodge,

Senate Committees

Judiciary
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING A PROHIBITION AGAINST COERCION OF IMMIGRANTS,**
102 **AND MAKING AN APPROPRIATION IN CONNECTION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Prohibits the use of threats to coerce an individual to perform involuntary labor or services.

Makes a 5-year statutory appropriation.

1 *Be it enacted by the General Assembly of the State of Colorado:*

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 **SECTION 1.** Article 13 of title 18, Colorado Revised Statutes, is
2 amended BY THE ADDITION OF A NEW SECTION to read:

3 **18-13-129. Coercion of involuntary servitude.** (1) A PERSON
4 COMMITS COERCION OF INVOLUNTARY SERVITUDE IF HE OR SHE COERCES
5 ANOTHER PERSON TO PERFORM LABOR OR SERVICES BY:

6 (a) WITHHOLDING OR THREATENING TO DESTROY DOCUMENTS
7 RELATING TO A PERSON'S IMMIGRATION STATUS; OR

8 (b) THREATENING TO NOTIFY LAW ENFORCEMENT OFFICIALS THAT
9 A PERSON IS PRESENT IN THE UNITED STATES IN VIOLATION OF FEDERAL
10 IMMIGRATION LAWS.

11 ==

12 (2) A PERSON MAY COMMIT COERCION OF INVOLUNTARY
13 SERVITUDE REGARDLESS OF WHETHER THE PERSON PROVIDES
14 COMPENSATION TO THE PERSON WHO IS COERCED.

15 (3) COERCION OF INVOLUNTARY SERVITUDE IS A CLASS 3 FELONY.

16 **SECTION 2.** Part 1 of article 1 of title 17, Colorado Revised
17 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
18 read:

19 **17-1-160. Appropriation to comply with section 2-2-703 - SB**
20 **06S-005.** (1) PURSUANT TO SECTION 2-2-703, C.R.S., THE FOLLOWING
21 STATUTORY APPROPRIATIONS, OR SO MUCH THEREOF AS MAY BE
22 NECESSARY, ARE MADE IN ORDER TO IMPLEMENT S.B. 06S-005, ENACTED
23 AT THE FIRST EXTRAORDINARY SESSION OF THE SIXTY-FIFTH GENERAL
24 ASSEMBLY:

25 (a) FOR THE FISCAL YEAR BEGINNING JULY 1, 2006, IN ADDITION
26 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED FROM
27 THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302,

1 C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN
2 SECTION 17-1-116, THE SUM OF EIGHTY-SEVEN THOUSAND ONE HUNDRED
3 NINETY-FOUR DOLLARS (\$87,194).

4 (b) (I) FOR THE FISCAL YEAR BEGINNING JULY 1, 2007, IN
5 ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY
6 APPROPRIATED, FROM THE CAPITAL CONSTRUCTION FUND CREATED IN
7 SECTION 24-75-302, C.R.S., TO THE CORRECTIONS EXPANSION RESERVE
8 FUND CREATED IN SECTION 17-1-116, THE SUM OF EIGHTY-SEVEN
9 THOUSAND ONE HUNDRED NINETY-FOUR DOLLARS (\$87,194).

10 (II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2007, IN ADDITION
11 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
12 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
13 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWENTY-SIX
14 THOUSAND EIGHT HUNDRED THIRTEEN DOLLARS (\$26,813).

15 (c) (I) FOR THE FISCAL YEAR BEGINNING JULY 1, 2008, IN ADDITION
16 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED, FROM
17 THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302,
18 C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN
19 SECTION 17-1-116, THE SUM OF EIGHTY-SEVEN THOUSAND ONE HUNDRED
20 NINETY-FOUR DOLLARS (\$87,194).

21 (II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2008, IN ADDITION
22 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
23 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
24 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF FIFTY-THREE
25 THOUSAND SIX HUNDRED TWENTY-SIX DOLLARS (\$53,626).

26 (d) (I) FOR THE FISCAL YEAR BEGINNING JULY 1, 2009, IN
27 ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY

1 APPROPRIATED, FROM THE CAPITAL CONSTRUCTION FUND CREATED IN
2 SECTION 24-75-302, C.R.S., TO THE CORRECTIONS EXPANSION RESERVE
3 FUND CREATED IN SECTION 17-1-116, THE SUM OF EIGHTY-SEVEN
4 THOUSAND ONE HUNDRED NINETY-FOUR DOLLARS (\$87,194).

5 (II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2009, IN ADDITION
6 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
7 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
8 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF EIGHTY THOUSAND
9 FOUR HUNDRED THIRTY-NINE DOLLARS (\$80,439).

10 (e) (I) FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, IN ADDITION
11 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED, FROM
12 THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302,
13 C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN
14 SECTION 17-1-116, THE SUM OF EIGHTY-SEVEN THOUSAND ONE HUNDRED
15 NINETY-FOUR DOLLARS (\$87,194).

16 (II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, IN ADDITION
17 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
18 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
19 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF ONE HUNDRED SEVEN
20 THOUSAND TWO HUNDRED FIFTY-TWO DOLLARS (\$107,252).

21 **SECTION 3.** 24-75-302 (2) (s), (2) (t), (2) (u), (2) (v), and (2)
22 (w), Colorado Revised Statutes, are amended to read:

23 **24-75-302. Capital construction fund - capital assessment fees**
24 **- calculation.** (2) As of July 1, 1988, and July 1 of each year thereafter
25 through July 1, 2010, a sum as specified in this subsection (2) shall accrue
26 to the capital construction fund. The state treasurer and the controller
27 shall transfer such sum out of the general fund and into the capital

1 construction fund as moneys become available in the general fund during
2 the fiscal year beginning on said July 1. Transfers between funds
3 pursuant to this subsection (2) shall not be deemed to be appropriations
4 subject to the limitations of section 24-75-201.1. The amount which shall
5 accrue pursuant to this subsection (2) shall be as follows:

6 (s) On July 1, 2006, forty-six million nine hundred forty-four
7 thousand six hundred eighty-seven dollars, plus twenty-two thousand nine
8 hundred twenty-four dollars pursuant to section 3 of H.B. 02S-1006,
9 enacted at the third extraordinary session of the sixty-third general
10 assembly; plus two hundred ninety-one thousand seven hundred sixty-one
11 dollars pursuant to H.B. 03-1004, enacted at the first regular session of
12 the sixty-fourth general assembly; plus one hundred twenty-five thousand
13 forty-one dollars pursuant to H.B. 03-1138, enacted at the first regular
14 session of the sixty-fourth general assembly; plus sixty-nine thousand
15 four hundred sixty-seven dollars pursuant to H.B. 03-1213, enacted at the
16 first regular session of the sixty-fourth general assembly; plus sixty-nine
17 thousand four hundred sixty-seven dollars pursuant to H.B. 03-1317,
18 enacted at the first regular session of the sixty-fourth general assembly;
19 plus ninety thousand three hundred seven dollars pursuant to H.B.
20 04-1021, enacted at the second regular session of the sixty-fourth general
21 assembly; plus sixty-nine thousand four hundred sixty-seven dollars
22 pursuant to H.B. 04-1016, enacted at the second regular session of the
23 sixty-fourth general assembly; plus fifteen million dollars pursuant to
24 H.B. 06-1373, enacted at the second regular session of the sixty-fifth
25 general assembly; plus one hundred seventy-four thousand three hundred
26 eighty-eight dollars pursuant to S.B. 06-206, enacted at the second regular
27 session of the sixty-fifth general assembly; plus one hundred seventy-four

1 thousand three hundred eighty-eight dollars pursuant to S.B. 06-207,
2 enacted at the second regular session of the sixty-fifth general assembly;
3 plus six hundred ten thousand three hundred fifty-eight dollars pursuant
4 to H.B. 06-1326, enacted at the second regular session of the sixty-fifth
5 general assembly; plus eighty-seven thousand one hundred ninety-four
6 dollars pursuant to H.B. 06-1145, enacted at the second regular session
7 of the sixty-fifth general assembly; plus four hundred thirty-five thousand
8 nine hundred seventy dollars pursuant to H.B. 06-1092, enacted at the
9 second regular session of the sixty-fifth general assembly; plus
10 eighty-seven thousand one hundred ninety-four dollars pursuant to H.B.
11 06-1151, enacted at the second regular session of the sixty-fifth general
12 assembly; plus five hundred twenty-three thousand one hundred
13 sixty-four dollars pursuant to H.B. 06-1011, enacted at the second regular
14 session of the sixty-fifth general assembly; PLUS EIGHTY-SEVEN
15 THOUSAND ONE HUNDRED NINETY-FOUR DOLLARS PURSUANT TO
16 S.B. 06S-005, ENACTED AT THE FIRST EXTRAORDINARY SESSION OF THE
17 SIXTY-FIFTH GENERAL ASSEMBLY;

18 (t) On July 1, 2007, four hundred sixteen thousand eight hundred
19 two dollars pursuant to H.B. 03-1004, enacted at the first regular session
20 of the sixty-fourth general assembly; plus fifty-five thousand five hundred
21 seventy-four dollars pursuant to H.B. 03-1317, enacted at the first regular
22 session of the sixty-fourth general assembly; plus thirteen thousand eight
23 hundred ninety-three dollars pursuant to H.B. 04-1021, enacted at the
24 second regular session of the sixty-fourth general assembly; plus
25 twenty-two million eight hundred eighty-five thousand three hundred
26 eighty-six dollars pursuant to H.B. 06-1373, enacted at the second regular
27 session of the sixty-fifth general assembly; plus two hundred nine

1 thousand two hundred sixty-six dollars pursuant to S.B. 06-206, enacted
2 at the second regular session of the sixty-fifth general assembly; plus two
3 hundred nine thousand two hundred sixty-six dollars pursuant to S.B.
4 06-207, enacted at the second regular session of the sixty-fifth general
5 assembly; plus six hundred ten thousand three hundred fifty-eight dollars
6 pursuant to H.B. 06-1326, enacted at the second regular session of the
7 sixty-fifth general assembly; plus sixty-nine thousand seven hundred
8 fifty-five dollars pursuant to H.B. 06-1151, enacted at the second regular
9 session of the sixty-fifth general assembly; plus five hundred twenty-three
10 thousand one hundred sixty-four dollars pursuant to H.B. 06-1011,
11 enacted at the second regular session of the sixty-fifth general assembly;
12 PLUS EIGHTY-SEVEN THOUSAND ONE HUNDRED NINETY-FOUR DOLLARS
13 PURSUANT TO S.B. 06S-005, ENACTED AT THE FIRST EXTRAORDINARY
14 SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY;

15 (u) On July 1, 2008, sixty-nine thousand four hundred sixty-seven
16 dollars pursuant to H.B. 04-1021, enacted at the second regular session
17 of the sixty-fourth general assembly; plus three hundred ninety-two
18 thousand three hundred seventy-three dollars pursuant to S.B. 06-206,
19 enacted at the second regular session of the sixty-fifth general assembly;
20 plus three hundred ninety-two thousand three hundred seventy-three
21 dollars pursuant to S.B. 06-207, enacted at the second regular session of
22 the sixty-fifth general assembly; plus four hundred sixty-two thousand
23 one hundred twenty-eight dollars pursuant to H.B. 06-1326, enacted at the
24 second regular session of the sixty-fifth general assembly; plus twenty-six
25 thousand one hundred fifty-eight dollars pursuant to H.B. 06-1145,
26 enacted at the second regular session of the sixty-fifth general assembly;
27 plus five hundred twenty-three thousand one hundred sixty-four dollars

1 pursuant to H.B. 06-1011, enacted at the second regular session of the
2 sixty-fifth general assembly; PLUS EIGHTY-SEVEN THOUSAND ONE
3 HUNDRED NINETY-FOUR DOLLARS PURSUANT TO S.B. 06S-005, ENACTED
4 AT THE FIRST EXTRAORDINARY SESSION OF THE SIXTY-FIFTH GENERAL
5 ASSEMBLY;

6 (v) On July 1, 2009, five hundred twenty-three thousand one
7 hundred sixty-four dollars pursuant to S.B. 06-206, enacted at the second
8 regular session of the sixty-fifth general assembly; plus five hundred
9 twenty-three thousand one hundred sixty-four dollars pursuant to S.B.
10 06-207, enacted at the second regular session of the sixty-fifth general
11 assembly; plus forty-three thousand five hundred ninety-seven dollars
12 pursuant to H.B. 06-1145, enacted at the second regular session of the
13 sixty-fifth general assembly; plus five hundred twenty-three thousand one
14 hundred sixty-four dollars pursuant to H.B. 06-1011, enacted at the
15 second regular session of the sixty-fifth general assembly; PLUS
16 EIGHTY-SEVEN THOUSAND ONE HUNDRED NINETY-FOUR DOLLARS DOLLARS
17 PURSUANT TO S.B. 06S-005, ENACTED AT THE FIRST EXTRAORDINARY
18 SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY;

19 (w) On July 1, 2010, five hundred twenty-three thousand one
20 hundred sixty-four dollars pursuant to S.B. 06-206, enacted at the second
21 regular session of the sixty-fifth general assembly; plus five hundred
22 twenty-three thousand one hundred sixty-four dollars pursuant to S.B.
23 06-207, enacted at the second regular session of the sixty-fifth general
24 assembly; plus forty-three thousand five hundred ninety-seven dollars
25 pursuant to S.B. 06-1145, enacted at the second regular session of the
26 sixty-fifth general assembly; plus five hundred twenty-three thousand one
27 hundred sixty-four dollars pursuant to H.B. 06-1011, enacted at the

1 second regular session of the sixty-fifth general assembly; PLUS
2 EIGHTY-SEVEN THOUSAND ONE HUNDRED NINETY-FOUR DOLLARS
3 PURSUANT TO S.B. S.B. 06S-005, ENACTED AT THE FIRST EXTRAORDINARY
4 SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY.

5 **SECTION 4. Effective date - applicability.** This act shall take
6 effect upon passage and shall apply to offenses committee on or after said
7 date.

8 **SECTION 5. Safety clause.** The general assembly hereby finds,
9 determines, and declares that this act is necessary for the immediate
10 preservation of the public peace, health, and safety.